

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : **KRAMER, Joachim Ernst**
SERIAL NO : **10/820,607**
FILED : **April 8, 2004**
TITLE : **INBRED MAIZE LINE PH94T**

Grp./A.U. : **1638**
Examiner : **IBRAHIM, Medina Ahmed**
Conf. No. : **9485**
Docket No. : **P06300US02 - PHI 1483CE**

**RECEIVED
CENTRAL FAX CENTER**

APR 19 2006

**TERMINAL DISCLAIMER TO OBLVIAE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

The owner, Pioneer Hi-Bred International, Inc. of 100 percent interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,774,290. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently

04/20/2006 EAYALEW1 00000015 260084 10820607

02 FC:1814 130.00 DA

shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Enclosed is our check in the amount of \$130.00 for a terminal disclaimer under 37 C.F.R. § 1.20(d). Please charge any deficiencies or credit any overpayment to Deposit Account No. 26-0084.

Respectfully submitted,



LILA A. T. AKRAD, Reg. No. 52,550
McKEE, VOORHEES, & SEASE
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No. (515) 288-3667
Fax No. (515) 288-1338
CUSTOMER NO: 27142

- bja -

Attorneys of Record